THE HON'BLE SRI JUSTICE V.ESWARAIAH

WRIT PETITION No.19524 of 2007

Date 13.11.2007

Between:
Pandi Dass & another.

..... PETITIONER

AND

The Mandal Revenue Officer, Keesara Mandal, R.R.District & another.

.....RESPONDENT

THE HON'BLE SRI JUSTICE V.ESWARAIAH

WRIT PETITION No.19524 of 2007

O R D E R:

This writ petition is filed seeking a Writ of Mandamus declaring the action of the first respondent/Mandal Revenue Officer, Keesara Mandal in issuing notice dated 11-04-2005 as illegal and arbitrary.

Petitioners contend that though they purchased an extent of Ac.2.00 in Sy.No.239 of Cheriyala Village of Keesara Mandal, they are sought to be dispossessed on the ground that the Mandal Revenue Officer passed orders on 02-11-2005 resuming the lands stating that they are assignee lands.

Learned Government Pleader for Revenue submits that the Mandal Revenue Officer initiated action for resumption of land by issuing notice in Form-I under Section 8 of A.P. Assigned Lands (Prohibition of Transfers) Act, 1977 on
11-04-2005 and as no reply was submitted thereto, the Mandal Revenue Officer, Keesara Mandal passed orders on 02-11-2005 for resumption of lands. He further submits that possession was taken over by the Government on 16-02-2006.

As against the resumption orders of the Mandal Revenue Officer, Keesara Mandal, one Dr.Prasad and others filed an appeal before the Revenue Divisional Officer, Ranga Reddy East Division. During the pendency of the appeal, they filed W.P.No.10349of 2006 questioning the resumption order, and this Court, while disposing of the writ petition on 25-05-2006 granted stay of operation of the resumption order dated

02-11-2005 pending disposal of the appeal before the appellate authority i.e. Revenue Divisional Officer, Ranga Reddy District, East Division. Pursuant to the order of this Court, the Revenue Divisional Officer dismissed the appeal upholding the order of Mandal Revenue Officer, Keesara Mandal dated 02-11-2005.

In view of the aforesaid circumstances, I am of the opinion that it cannot be said that the petitioners have not been served with notice and inasmuch as the resumption order has been passed long back and they were also questioned in appeal, the writ petition is devoid of merits and is accordingly dismissed. No order as to costs.

_____

13-11-2007

usd